

Administration, Southwest Region, Room 414, Fort Worth, TX.

**FOR FURTHER INFORMATION CONTACT:**

Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0520, telephone 817-222-5593.

**SUPPLEMENTARY INFORMATION:** This amendment to 14 CFR part 71 revises the Class E airspace at Sabine Pass, TX. The development of GPS SIAP's, helicopter point-in-space approaches, to heliports in the Sabine Pass, TX, area has made this rule necessary. This action is intended to provide adequate controlled airspace extending upward from 700 feet or more above the surface for IFR operations to the heliports.

Class E airspace designations are published in Paragraph 6005 of FAA Order 7400.9E, dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the order.

**The Direct Final Rule Procedure**

The FAA anticipates that this regulation will not result in any adverse or negative comment and therefore is issuing it as a direct final rule. A substantial number of previous opportunities provided to the public to comment on substantially identical actions have resulted in negligible adverse comments or objections. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment, is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

**Comments Invited**

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications

should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action is needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 98-ASW-28." The postcard will be date stamped and returned to the commenter.

**Agency Findings**

The regulations adopted herein will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Further, the FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments and only involves an established body of technical regulations that require frequent and routine amendments to keep them operationally current. Therefore, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedure (44 FR 11034; February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. Since this rule involves routine matters that will only affect air

traffic procedures and air navigation, it does not warrant preparation of a Regulatory Flexibility Analysis because the anticipated impact is so minimal.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Adoption of the Amendment**

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration amends 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS**

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854; 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§ 71.1 [Amended]**

2. The incorporated by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9E, *Airspace Designations and Reporting Points*, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

*Paragraph 6005: Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

**ASW TX E5 Sabine Pass, TX [Revised]**

Point in Space Coordinates  
(Lat. 29°43'00" N., long. 93°54'30" W.)

That airspace extending upward from 700 feet above the surface within a 10.0-mile radius of the point in space in Sabine Pass, TX, excluding that airspace within the Beaumont, TX, Class E airspace area.

\* \* \* \* \*

Issued in Fort Worth, TX, on June 2, 1998.

**Albert L. Viselli,**

*Acting Manager, Air Traffic Division,  
Southwest Region.*

[FR Doc. 98-15460 Filed 6-9-98; 8:45 am]

BILLING CODE 4910-13-M

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Airspace Docket No. 98-ASW-27]

**Revision of Class E Airspace; Leeville, LA**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This amendment revises the Class E airspace at Leeville, LA. The development of global positioning system (GPS) standard instrument approach procedures (SIAP), helicopter point-in-space approaches, to heliports in the Leeville, LA, area has made this rule necessary. This action is intended to provide adequate controlled airspace extending upward from 700 feet or more above the surface for instrument flight rules (IFR) operations to the heliports.

**DATES:** Effective 0901 UTC, October 8, 1998.

Comments must be received on or before July 27, 1998.

**ADDRESSES:** Send comments on the rule in triplicate to Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Docket No. 98-ASW-27, Fort Worth, TX 76193-0520.

The official docket may be examined in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 2601 Meacham Boulevard, Room 663, Fort Worth, TX, between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the Airspace Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Room 414, Fort Worth, TX.

**FOR FURTHER INFORMATION CONTACT:** Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0520, telephone 817-222-5593.

**SUPPLEMENTARY INFORMATION:** This amendment to 14 CFR part 71 revises the Class E airspace at Leeville, LA. The development of GPS SIAP, helicopter point-in-space approaches, to heliports in the Leeville, LA, area has made this rule necessary. This action is intended to provide adequate controlled airspace extending upward from 700 feet or more above the surface for IFR operations to the heliports.

Class E airspace designations are published in Paragraph 6005 of FAA Order 7400.9E, dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the order.

#### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in any adverse or negative comment and therefore is

issuing it as a direct final rule. A substantial number of previous opportunities provided to the public to comment on substantially identical actions have resulted in negligible adverse comments or objections. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment, is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action is needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 98-ASW-27." The postcard

will be date stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Further, the FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments and only involves an established body of technical regulations that require frequent and routine amendments to keep them operationally current. Therefore, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. Since this rule involves routine matters that will only affect air traffic procedures and air navigation, it does not warrant preparation of a Regulatory Flexibility Analysis because the anticipated impact is so minimal.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854; 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

##### § 7.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9E, *Airspace Designations and Reporting Points*, dated September 10, 1997, and effective

September 16, 1997, is amended as follows:

*Paragraph 6005: Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### **ASW LA E5 Leeville, LA [Revised]**

Point in Space Coordinates  
(Lat 29°10'40" N., long. 90°11'30" W.)

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the point in space in Leeville, LA, excluding that airspace within the Grand Isle, LA Class E airspace area.

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Issued in Fort Worth, TX, on June 2, 1998.

**Albert L. Viselli,**

*Acting Manager, Air Traffic Division,  
Southwest Region.*

[FR Doc. 98-15461 Filed 6-9-98; 8:45 am]

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## **DEPARTMENT OF COMMERCE**

### **Bureau of Export Administration**

#### **15 CFR Part 705**

[Docket No. 980508121-8121-01]

RIN 0694-AB58

#### **Effect of Imported Articles on the National Security**

**AGENCY:** Bureau of Export Administration, Commerce.

**ACTION:** Final rule.

**SUMMARY:** The Department of Commerce is revising its regulation on the "Effect of Imported Articles on the National Security" (47 FR 14693, April 6, 1982; redesignated at 54 FR 601, January 6, 1989; and amended at 54 FR 19355, May 5, 1989 (15 C.F.R. Part 705)) to reflect amendments to Section 232 of the Trade Expansion Act of 1962. These amendments include requirements for additional action to be taken by the Secretary of Commerce upon commencing, conducting, and completing an investigation, and reporting the disposition of an investigation to the Congress. The amendments also specify action to be taken by the President in making a determination to take action to adjust the imports of the article which is the subject of the investigation.

**EFFECTIVE DATE:** This rule is effective July 10, 1998.

#### **FOR FURTHER INFORMATION CONTACT:**

Brian H. Nilsson, Section 232 Investigations Program Manager, Office of Strategic Industries and Economic Security, Room 3876, U.S. Department of Commerce, 14th Street and

Constitution Avenue, Washington, D.C. 20230; telephone: (202) 482-3795, FAX: (202) 482-5650, and E-Mail: bnilsson@bxa.doc.gov.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862) (the Act) authorizes investigations to determine the effects on the national security of imports of articles which are the subject of a request for an investigation. The implementing regulation, "Effect of Imported Articles on the National Security" (47 FR 14693, April 6, 1982; redesignated at 54 FR 601, January 6, 1989; and amended at 54 FR 19355, May 5, 1989 (15 C.F.R. Part 705)), prescribes procedures to be followed by the Department of Commerce (the Department) to commence and conduct such investigations. Because of amendments in 1988 to Section 232 of the Act, this regulation must be revised to set forth requirements for additional action to be taken by the Secretary of Commerce upon commencing, conducting, and completing an investigation, and reporting the disposition of the investigations to the Congress. The amendments also specify action to be taken by the President in making determinations to take action to adjust the imports of the article which is the subject of the investigation.

Changes to the regulation with reference to the applicable sections of the Act include the following:

1. Section 705.3 (Commencing an investigation) is revised to require the Secretary of Commerce to provide immediate notice to the Secretary of Defense of any investigation initiated under the regulation [Section 232(b)(1)(B) of the Act; 19 U.S.C. 1862(b)(1)(B)].

2. Section 705.7(d) (Conduct of an investigation) is revised to require consultation by the Secretary of Commerce with the Secretary of Defense regarding the methodology and policy questions raised in an investigation, and, upon the request of the Secretary of Commerce, to require the Secretary of Defense to provide an assessment of the defense requirements of the article being investigated [Section 232(b)(2) of the Act; 19 U.S.C. 1862(b)(2)].

3. Section 705.10 (Report of an investigation and recommendation) is revised to simplify the organization of the report of an investigation, to reduce the time from one year to 270 days for the Department to conduct an investigation and report to the President, and to provide for publication in the **Federal Register** of an

Executive Summary of the report and availability to the public of the full report [Section 232(b)(3); 19 U.S.C. 1862(b)(3)].

4. A new section 705.11 (Determination by the President and adjustment of imports) is added to include in the regulation the requirements imposed upon the President under Section 232(c) of the Act [19 U.S.C. 1862(c)]. Upon submission of the report of an investigation by the Secretary of Commerce in which the Department has found that an article is being imported into the U.S. in such quantities or under such circumstances as to threaten to impair the national security, the President must take certain action within a specified period of time as set forth in the Act.

5. A new section 705.12 (Disposition of an investigation and report to the Congress) is also added to require reports to the Congress pertaining to the disposition of each request, application, or motion for an investigation and the operation of the Act's provisions [Section 232(e); 19 U.S.C. 1862(e)].

6. Finally, in sections 705.5(a) (Request or application for an investigation), 705.7(b) (Conduct of an investigation), and 705.8(b)(6) (Public hearings), technical revisions are made to update the references to the Office of Industrial Resource Administration and the room number of the Bureau of Export Administration Freedom of Information Records Inspection Facility.

#### **Rulemaking Requirements**

The Department has made certain determinations with respect to the following rulemaking requirements:

1. *Classification under E.O. 12866:* The revision of this regulation (15 CFR Part 705) has been determined to be "not significant" for purposes of Executive Order 12866.

2. *Administrative Procedure Act and Regulatory Flexibility Act:* Because this rule pertains to agency procedures and the rulemaking procedures of the Administrative Procedure Act (5 U.S.C. 553(b)(A)) or any other are not applicable, this rule is not subject to the analytical requirements of Section 3(a) of the Regulatory Flexibility Act (5 U.S.C. 601-612).

3. *Paperwork Reduction Act:* This rule does not contain a collection of information for purposes of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501-3520).

4. *Executive Order 12612:* This proposed rule does not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under E.O. 12612.